REMARKS

Claims 1-26 are pending in the application.

SECTION 103(A) REJECTIONS

Claims 1-6, 9-20, 22, 23, 24 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen et al. (Dynamic-Agents for Dynamic Service Provisioning) hereinafter referred to as Chen, in view of Howard et al. (U.S. Patent Number 6,601,086) hereinafter referred to as Howard. Applicant respectfully traverses these rejections and requests reconsideration in view of the following discussion.

A prima facie case of obviousness of a claimed invention is not established unless all the claim limitations are taught or suggested by the cited prior art. Applicant respectfully submits that each of claims 1-26 recite a combination of features not taught or suggested by the cited art. For example, claim 1 recites in part a service provisioning mechanism that includes:

> "a resolver responsive to **a request from a requestor for a service to determine whether a requested service is provided by the service gateway**;
>
> a negotiator **responsive to an indication from the resolver that a requested service is not provided** by the service gateway **to query an external source for identifying a further service for attempting to satisfy the service request**." (emphasis added).

However, Applicant can find no teaching or suggestion of at least the above highlighted features in the cited art – either singly, or in combination.

In the present Office Action, it is suggested in paragraph 3 that Chen teaches a resolver responsive to "a request from a requestor for a service to determine whether a requested service is provided by the service gateway." However, Applicant submits Chen does not teach these features. In contrast, Chen teaches agents which may convey a request for the address of other

entities or services to a coordinator. However, the requests from the agents are not "to determine whether a requested service is provided by the service gateway." Rather, the entity or service already exists – the agent merely needs the address corresponding to the entity or service. Once the address is known to the requesting agent, the address may be entered into the agent's address book. (Chen, page 4, paras. 7-8).

In addition, it is suggested that Chen teaches "a negotiator responsive to an indication from the resolver that a requested service is not provided by the service gateway to query an external source for identifying a further service for attempting to satisfy the service request." However, Chen does not teach these features. Rather, Chen merely discloses an agent with an "agenda handler" which includes a list of tasks to be executed by that agent. Some tasks may be sent as a request to another agent. (Chen, page 3, para. 13). In addition, agents may modify their behavior by requesting the address or location of a requested service. (Chen, page 6, para. 1). In such a case, the agent itself receives a request for a service which is not currently supported and the agent may request from another agent the address/location of a class corresponding to the service. However, there is no "indication from the resolver that a requested service is not provided by the service gateway". Applicant submits the agent receiving the request in Chen is not equivalent to the recited resolver. Also, Chen does not disclose an "indication . . . a requested service is not provided by the service gateway." Rather, the agent's request in Chen for the address/location of a class may merely indicate that *the requesting agent* currently does not support a corresponding service. However, there is no teaching or suggestion of a service which is not supported by a service gateway.

In addition to the above, in the present Office Action, the examiner admits (paragraph 4) that Chen does not teach details regarding querying an external source for identifying a further service. Howard is then cited as teaching these features (paragraph 6). Applicant respectfully disagrees and submits that at least the above-recited features are neither taught nor suggested by the cited art.

In particular, Howard is cited as teaching the recited features at col. 6, lines 18-36,

wherein it states:

> "service provider 20 may obtain information from device manufacturers 28 to be used to update, monitor, control, or otherwise service embedded devices 24."

However, Applicant finds no teaching of querying an external source <u>in response to an indication from the resolver that a requested service is not provided by the service gateway</u> therein. In addition, Applicant has reviewed the remainder of Howard and submits Howard neither teaches nor suggests the above-recited features. While Howard includes teachings directed to obtaining updates, the action of obtaining the updates disclosed by Howard is different than the mechanism recited above.

Generally speaking, Howard is directed to controlling, monitoring, and/or updating embedded devices. To facilitate communication with embedded devices, Howard describes a service provider whose actions include:

> "Searching the computer network 22 and ... accessing and obtaining updated information from the computer network 22 related to the embedded devices 24." Col. 4, lines 50-53.

> "receiv[ing] at least one message from the embedded device 24 that includes an embedded device identifier. The communications with one or more embedded devices 24 may be scheduled through the use of schedule data." Col. 4, lines 60-64.

> "periodic sending of control data to computer program code loaded on the embedded device 24" Col. 5, lines 1-4.

> "sending the updated computer program code to the embedded device 24." Col. 5, lines 10-11.

However, the above-recited actions do not include requests by the embedded devices for a service. In effect, the service provider operates as a master with the embedded devices operating as slaves. Consequently, combining Howard with Chen may yield a system in which updates to services may be pushed to devices on an internal network from an external network, but not the

recited system in which devices on an internal network may request new services and have those services provided by service providers on an external network.
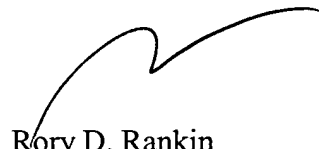
Accordingly, all of the claim limitations of claim 1 are not taught or suggested by the cited prior art and a prima facie case of obviousness has not been established. Therefore, claim 1 is patentably distinguishable over the cited art. Further, because claims 11, 13, 15, 17, and 19 include similar features to that of claim 1, claims 11, 13, 15, 17, and 19 are patentable over the cited art for similar reasons. As each of dependent claims 2-10, 12, 14, 16, 18 and 20-26 include at least the features of the independent claims upon which they depend, each of the dependent claims is believed patentable as well and further traversal of the Examiner's comments concerning dependent claims 7, 8, 21, and 25 is believed unnecessary at this time.

CONCLUSION

In light of the foregoing remarks, the Applicant submits that all pending claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. If a phone interview would speed allowance of any pending claims, such is requested at the Examiner's convenience.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505\5181-78500\RDR

Respectfully submitted,

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